A

LETTER

TO

JOHN DAY, Esq.

Mayor of NORWICH,

CONTAINING A

LETTER of INSTRUCTIONS

TO

HARBORD HARBORD, Esq.

AND TO

EDWARD BACON, Esq.

Representatives in Parliament for the

City and County of NORWICH.

Dated October 25, 1768,

Being the Day of his MAJESTY's happy Accession to the CROWN OF THESE REALMS.

Norwich: Printed in the Year 1768. Price One Shilling.

To JOHN DAY, Esq; MAYOR of NORWICH.

SIR,

WE, a considerable Part of the *Free* and *Independent* Citizens and Electors of the City and County of Norwich, being this Day assembled at different Houses to celebrate His MAJESTY's happy Accession to the CROWN of these Realms, do unanimously request of you our chief Magistrate to transmit to HARBORD HARBORD, Esq; and EDWARD BACON, Esq; our Representatives, the following Letter of Instructions for the Direction of their future Conduct in the grand Council of the Nation, and in particular at the opening of the ensuing Sessions of Parliament, a Point of Time we look upon to be very critical to the Constitution of this Country and Kingdom, and to the Liberties of the People.

We are, SIR, with great Respect, your most obedient Servants,

The Free and Independent Citizens and Electors of the City and County of Norwich.

Norwich,
Oct. 25, 1768.

To HARBORD HARBORD & EDW. BACON, Esqrs

GENTLEMEN,

AS it is the undoubted Right of all Constituents to instruct their Representatives in Parliament from Time to Time as they shall see Occasion, WE, a considerable Part of your Electors, as *yet* your *Free* and Independent Electors, take this Opportunity to claim and to exercise that Right, and to transmit to you our Sentiments upon some Points which we look upon to be of the utmost Importance at this Juncture to the whole Kingdom.

We have observed with Concern the Instability of Administration, and the Distractions which have prevailed in all our public Councils for these seven Years past, and still prevail, to the Disgrace as well as Detriment of the Nation: Such a perpetual Fluctuation in public Affairs must inevitably draw on the Ruin of the State, and it is therefore high Time that new, permanent, and vigorous Measures should be adopted and entered into for its Preservation e'er it be too late: Various are the Grievances which call aloud for Redress, and some of them we mean to point out to you; and as we have beheld but too many flagrant Instances of the Venality of the Age, and of the Corruption of Representatives in Parliament by wicked, arbitrary, and oppressive Ministers, THEREFORE in order to strike at the Root of Corruption at once, and to revive the drooping Spirit of publick Virtue and Love of our Country; in order to extinguish the false Hopes and to curb the undue unconstitutional Influence of all aspiring and ambitious *Favourites*, We most earnestly Recommend to you, and do most strictly Enjoin you,

I. To use your utmost endeavours to promote the passing of a new and more COMPREHENSIVE PLACE BILL, by which all *Placemen* beyond a limited number, may be rendered *incapable* to sit in the House of Commons, for which the necessity is but too evident from the daily Increase of Places and Pensions, and the neglect of bringing in of which as soon as possible, may be fatal to the CONSTITUTION and to the LIBERTIES of this Kingdom.

II. We recommend to You to use your utmost endeavours that a Law may pass in the approaching Sessions

For RESTORING TRIENNIAL PARLIAMENTS,

and for limiting the duration of this present, and all future Parliaments to

THREE YEARS AT MOST

as another great Security for the Conſtitution againſt the Arbitrary Attempts of Wicked and Deſigning Miniſters, frequent Elections depriving them of that Enormous Influence and Power they now have to Corrupt the Repreſentatives of the People, and ſo ſecure a Venal Majority of Members in the Houſe of Commons which may prevent, Defeat, or put a Stop to All Enquiries into their Publick Conduct: and that a Clauſe be added in the above Act, requiring that for the future, the Oath of Bribery and Corruption at all Elections be taken by the *Candidates*, and not the *Electors*.

III.

We Requeſt alſo, and Recommend to You to Enquire, How it comes to paſs that the Eldeſt Sons of Peers of *Scotland*, who are declared incapable to Repreſent any Borough or Shire in *that* Kingdom, ſhould be permitted to Repreſent any Borough or Shire in *England*: And Why, when *All* the Commons of *Scotland* are, according to the Act of UNION, Repreſented by *Forty-five* Members in the Britiſh Parliament, *Scots Commoners* are permitted to Repreſent *Engliſh* Boroughs, and to Have *Additional* Voices in Parliament: And Whether the Permitting Scots Commoners and Eldeſt Sons of Peers of *Scotland* to ſit in Parliament for *Engliſh* Boroughs, be not inconſiſtent with, and contradictory to, the true SPIRIT of the Act of UNION: We therefore moſt earneſtly Recommend to You to Propoſe an Enquiry into the true Spirit of the Act of Union; and as far as in you lies, by all Conſtitutional Endeavours, to exclude Scotch Commoners already Elected, exceeding the Number of Forty-five, and not Repreſenting Shires or Boroughs in *Scotland*, from a ſeat and Voice in the Britiſh Parliament.

IV.

We Recommend to you and ſtrictly Enjoin you to *Enquire* by what *Authority* it was, that a REPRESENTATIVE of the PEOPLE in Parliament was *Seized* in his *own Houſe*, *dragged* out of his *own Houſe*, and in Defiance of the *Habeas Corpus* Act, and MAGNA CHARTA, *Impriſoned* in the TOWER of London; all his Papers, the moſt *ſecret* of them, Rifled and Carried away, under an *Avowed* Deſign of collecting *Evidence* againſt him for a *ſuppoſed* Libel; thereby Obliging a *Free-born* Engliſhman to turn his *own Accuſer*, contrary to the *Known Laws* of the Land: We alſo Deſire and Expect that You will Uſe Your utmoſt Endeavours to find out by *whom* it was that a Writ of *Habeas Corpus* granted by a *Chief Juſtice* was *Eluded*, and it's Authority *Diſobeyed* in Time of Public Peace and Tranquillity; and the Act of *Habeas Corpus*, that greateſt and ſtrongeſt Bulwark of Engliſh Liberty broke down and trampled under Foot, the Powers of which were never Known to be even *Suſpended*, but in Times of public Danger, of ſuſpected Conſpiracies, open Rebellion, or when a *Foreign Enemy* was in Arms in the Kingdom. The Suſpenſion of the *Habeas Corpus* Act, tho' by *Authority* of *Parliament*, is ever underſtood to be a Suſpenſion of the *Liberty* of the SUBJECT: And We, therefore, Deſire and Expect that You will enquire by whoſe Advice it was, that *Private Perſons* in Office, Armed with that *Iron* Engine of Oppreſſion, and bearing that *ignominious* Badge of Slavery a GENERAL WARRANT, were employed or ſet on and encouraged to Dare to Do that *by themſelves*, which King, Lords, and Commons, the three Eſtates of the Realm, can only do *together*.

V. We

V.

We moſt earneſtly Recommend to You to Promote an Enquiry into the Power of an ATTORNEY GENERAL to file Informations *ex Officio*, that deteſtable Relique of the *Star-Chamber*, and to ſee how far it may agree with the *Freedom* of our *Conſtitution*; and that You will uſe your utmoſt Endeavours to ſecure the Liberties of the People from all Arbitrary and *Unconſtitutional* ſtretches of Authority: and that You will Promote an Enquiry into the *Power* of JUDGES to *alter* RECORDS, *before* or *after* Judgment, *before* or *after* trial; for the ſake of the *Safety* of every Subject, and that they may not be liable to Ruin at the Diſcretion of any future *Time-ſerving* and Corrupt Judge, who under the *Golden* Influence of a Court, or the *Tyrannical* Influence of a *Favourite* of a Court, may in the Proceſs of a few Years *Over-rule* and over-*turn* all the Eſtabliſhed LAWS OF THE LAND.

VI.

We recommend to You to Promote a ſtrict Enquiry into the Publick Accounts, and the heavy national Debt incurred by the vaſt Profuſion of Expence attending the late juſt and neceſſary War, and above all to Examine into the Accounts delivered in by *Contractors* and Agents for the *Army* and Navy, by Controllers, Directors and Commiſſaries of the Office of Controlle, and the Commiſſariate abroad at Bremen in Germany, and by Secretaries, *Under Secretaries*, and Clerks of Offices at Home, by which ſuch amazing Fortunes have been ſuddenly, almoſt inſtantaneouſly acquired by *Individuals*; and wherever Delinquents are found to bring all ſuch *Plunderers of the Public* to Condign and Exemplary Puniſhment: and that You will promote a Bill for the Excluſion of Contractors * of *all Sorts* employed by Government from a Seat in the Houſe of Commons.

We moſt earneſtly recommend to You to bear in Your Minds on this Occaſion, and to Imprint in your Hearts, the laſt moſt excellent Words and Advice given to a Britiſh Parliament by one of Your beſt of Princes:

'It is always with Regret when I do aſk Aids of My People; but 'you will obſerve, that I deſire nothing which relates to any *perſonal* 'Expence of Mine.

'I am only preſſing you to do all you can for *your own* Safety and 'Honour, at ſo Critical and Dangerous a Time; and am willing that 'what is given ſhould be wholly appropriated for the purpoſes for 'which it is intended.

'And ſince I am ſpeaking on this head, I think it proper to put you 'in mind, That during *the late War*, I ordered the Accounts to be laid 'yearly before the Parliament, and alſo gave My Aſſent to ſeveral Bills 'for taking the Publick Accounts, that My Subjects might have ſatisfaction *how the Money given for the War was applied.*

'And I am willing That Matter may be put in any *further* way of 'examination, that it may appear whether there were any Miſapplications and Miſmanagements; or whether the Debt that remains upon 'Us has really ariſen from the Shortneſs of the Supplies, or the Deficiency of the Funds.

'It

* The neat Profits of the Tobacco Contract alone are eſtimated in Value at 7000l. per Annum.

' It is fit I ſhould tell you, the Eyes of all *Europe* are upon *this* Par-
' liament: all Matters are at a Stand till your Reſolutions are known;
' and therefore no Time ought to be loſt.

' You have yet an Opportunity, by God's Bleſſing, to ſecure to you
' and your Poſterity the quiet enjoyment of your *Religion* and *Liberties*,
' if you are *not wanting to yourſelves*;

' But I tell you plainly My Opinion is, if you do not lay hold on
' this Occaſion, you have no reaſon to hope for *another*."

VII.

We alſo recommend to you, to promote a Bill for laying a Duty of 10*s*. per Hundred Weight on Sugar, which, according to the beſt Calculation made by a late great Chancellor of the Exchequer, (Mr. Legge) univerſally acknowledged to be the moſt able *Financier* in *Europe*, will raiſe 500,000l. per Annum; And to repeal thereby the Additional Tax upon Beer ſubſtituted in it's room in the Year 1753, and which has ever ſince been levied with ſuch peculiar Cruelty and Oppreſſion upon the laborious *Poor* of this great Kingdom; the Poor, already diſtreſſed and almoſt famiſhed by the high and extravagant Prices of Proviſions and Corn; the Reduction of which high and extravagant Prices We alſo moſt earneſtly recommend to your Conſideration in Parliament; and that You will uſe Your utmoſt Endeavours to give Relief to the crying and very alarming Neceſſities of the Indigent and Induſtrious Part of the Nation, Your Fellow-Subjects, and many of them Your CONSTITUENTS and ELECTORS.

VIII.

We recommend to you, and ſtrictly charge you to enquire, and we expect that you will enquire, by whoſe *Advice* it was, that a *ſeperate* Peace was concluded with France and Spain in 1762, by which a flagrant Breach of national Faith was committed, being in direct Oppoſition to all Treaties ſubſiſting between our gallant Ally the King of Pruſſia, and his late Majeſty of glorious Memory, renewed and confirmed by his preſent Majeſty after his Acceſſion, in a Treaty bearing Date December 12, 1760, in which is contained the following Article:

ARTICLE IV.

" The HIGH CONTRACTING POWERS moreover engage, viz.
" on the one Side His BRITANNIC MAJESTY as well KING as
" ELECTOR, and on the other, His PRUSSIAN MAJESTY, *not*
" *to conclude any Treaty of Peace, Truce, or Neutrality*, or other Con-
" vention or Agreement *whatever*, with the Powers who *have taken*
" *Part* in the preſent War, but IN CONCERT and by MUTUAL
" AGREEMENT and by Comprehending each other by NAME."

Signed,

ROBERT HENLEY, *C. S.*
GRANVILLE, *P.*
HOLLES NEWCASTLE.
HOLDERNESSE.
HARDWICKE.
WILLIAM PITT.

A Treaty of Peace was, notwithſtanding, entered into and concluded at Paris, between England, France and Spain, *without the Conſent* and *Mutual* Agreement of the King of Pruſſia, in Defiance of the above Article of a moſt ſolemn Treaty and Engagement between His preſent Majeſty and the King of Pruſſia, and within leſs than two Years from the Date thereof; by which the Honor and PUBLIC FAITH of the *Nation* became a Sacrifice to *Evil Counſellors* and *Corrupt* Miniſters: And We do, therefore, Requeſt of you, our Repreſentatives, and Do, Hereby, call upon you to uſe your utmoſt Endeavours to trace out, detect, and bring to *condign Puniſhment* all ſuch *Evil* Counſellors, and *Corrupt* Miniſters, by whoſe *Advice* the NATIONAL FAITH has been thus *ignominiouſly Proſtituted*, and *traiterouſly* Broke and *Forfeited*.

IX.

We do alſo Recommend to You, to promote an Enquiry, by which the Conſtitution *itſelf* may be examined into according to it's firſt original Principles: And whereas the eldeſt Sons of Peers were never admitted, but *always Rejected* from a ſeat in the Parliament of *Scotland*, the chief Reaſon for which Rejection amongſt others was, "The enor-"mous and over-bearing Influence and Power of a *numerous Peerage* "which ſurrounding the *Commons* thereby prevented Freedom in Elec-"tions, ſo that no Commoner holding any Part of his Lands of a *Peer*, "or indeed *being in his Neighbourhood* could be reckoned at Liberty to "make a *Free* Election of his Repreſentative;" And whereas the *Peerage* of *England* is exceedingly numerous, and the Influence and Power of *Engliſh* Peers ſufficiently known and *felt*, as well *elſewhere* as in their *Neighbourhood*, and the Freedom of Elections as notoriouſly Invaded, notwithſtanding repeated Reſolutions of the Houſe of Commons, Declaring, "That it is a *high Infringement* of the *Liberties* and *Privileges* "of the *Commons* of *Great Britain* for any Lord of Parliament, or any "*Lord Lieutenant* of any *County* to *Concern themſelves* in the *Elections* of "Members to ſerve for the *Commons* in Parliament:" And whereas nothing can be more extravagantly Abſurd or more *Unconſtitutional* than that the Senſe of the *Commons* of Great Britain ſhould be Delivered in Parliament by *Peers* and *Repreſentatives Elected by Peers*, which in Effect is the *uniting* and making but *One* Houſe of *both* Houſes of Parliament; therefore in order to remedy this dangerous Innovation as *far* and as *ſoon* as may be, and before the fatal Conſequences to our happy Conſtitution and the acknowledged Rights and Liberties of the People be ſpread too wide, and acquire too much Strength, ſo as to bear down all Oppoſition before them,

We do require, and do moſt ſtrictly enjoin you to move at the Opening of next Seſſions of Parliament, that a Reſolution may be paſſed, "Whereby the eldeſt Sons of Peers of *England*, as well as thoſe of "*Scotland*, may be Declared Incapable to ſit in the Houſe of *Commons* "of *Great Britain*."

X.

We recommend to you, and ſtrictly charge you, Carefully and Impartially to enquire into the Conduct of all ſuch *Returning Officers*, of whoſe Proceedings Complaint ſhall at any Time be made before the Houſe; and to *do Juſtice* to the *Nation* by bringing all ſuch Criminals

to *Condign Puniſhment*, who ſhall appear to Have Violated the Rights of *Freeholders* and *Legal Voters* at Elections; thereby Invading the Birthright and Privilege of the Britiſh Subject, and daringly Inſulting the CONSTITUTION and LIBERTY of their COUNTRY:

XI.

We Recommend to You to promote an Enquiry into the Conduct of the ſeveral Adminiſtrations during the laſt ſeven Years, and the Cauſes of the late frequent Changes and *Diſmiſſions*, and above all, to Explore and to Endeavour to trace out and detect the *Secret* Influence of that *Undermining Favourite*, by whoſe *Arbitrary* Meaſures and moſt *Pernicious* Counſels, this once Happy and Flouriſhing Kingdom has been reduced from a State of *Power* and *Triumph*, of *Affluence* and *Unanimity*, into its *preſent Miſerable* State of *Imbecillity* and *Diviſion*, of *Diſtreſs* and *Diſtraction*.

XII.

LASTLY, We do moſt ſolemnly Charge You to Demand out of Cuſtody the Perſon of JOHN WILKES, Eſq; Knight of the Shire for the County of *Middleſex*, who tho' a Repreſentative of the People duly Elected to ſerve in Parliament, was refuſed *Bail*, and Committed to Priſon on an *Outlawry* which was afterwards declared by the *very Judges who committed Him* TO BE ILLEGAL; a Man who ſo ſteadily defended the Rights and Privileges of ALL THE COMMONS of ENGLAND when Invaded, and who with ſuch unſhaken Intrepidity and Perſeverance oppoſed the arbitrary Attempts of Miniſters and Secretaries of State who preſumed to violate, thro' Him, the firſt Right of this Free Nation, the *Perſonal Liberty* of the Subject in the moſt outrageous and illegal Manner; and who ſtill is detained a *Priſoner* in the King's Bench Priſon: We therefore do moſt ſolemnly charge You to demand the Perſon of the ſaid JOHN WILKES, Eſq; that he may be enabled to take His Seat amongſt the duly elected Repreſentatives to ſerve in this preſent Parliament, leſt the continued Confinement of a Knight of the Shire for ſo great and opulent a County as that of *Middleſex*, now left without *any* Repreſentation at all, be for ever conſidered as a moſt daring Inſult upon the Rights and Privileges of the People, an open Contempt of the Authority of Parliament, and an high and unexampled Affront to the DIGNITY of the BRITISH HOUSE OF COMMONS.

In full aſſurance of Your Faithful Diſcharge of the Great Truſt repoſed in You by Us your Conſtituents, and of your ſtrict attention in Parliament to theſe our Inſtructions, tranſmitted to You before the opening of the Seſſions, and after repeated Promiſes made to Us on your Parts *previous to Your Election* in all the printed Papers, and ſigned with Your own Names; in full aſſurance of ſuch Your Public-Spirited Conduct,

We remain, with great Reſpect,
GENTLEMEN,
Your moſt obedient Servants,
The Free and Independent Citizens and Electors
of the City and County of Norwich.

Norwich, October 25, 1768.
Being the day of his Majeſty's happy Acceſſion
to the Crown of theſe Realms.

Appendix.

INSTRUCTIONS to REPRESENTATIVES in General;

SUBMITTED

To the Conſideration of all True Friends

TO

LIBERTY and the CONSTITUTION

Of their COUNTRY:

And from which (as being expreſſed more at large) the above Articles were many of them taken.

Ad Pœnam pulchra pro LIBERTATE *vocabit* ——
Vendidit HIC *Auro Patriam.*——VIRG.

N. B. The following Inſtructions were drawn up ſoon after the Meeting of the Parliament and tranſmitted to many of the Members; from one of which a Copy was obtained, and was Printed in the *Political Regiſter* and the *London Magazine.*

INSTRUCTIONS

TO

REPRESENTATIVES

TO SERVE IN

PARLIAMENT,

Elected in the Year

1768.

Ad Poenam pulchra Pro LIBERTATE Vocabit—
Vendidit HIC Auro *PATRIAM.*——
Virg.

INSTRUCTIONS.

WE, a conſiderable Part of Your Electors, as *yet* Your *free* and Independent Electors, do moſt earneſtly recommend to You our Repreſentatives in Parliament, to Enquire, and We do alſo deſire and expect that You will

I. Enquire, by whoſe *Advice* it was, that a *ſeparate* Peace was concluded with France and Spain in 1762, by which a flagrant Breach of National Faith was committed, being in direct Oppoſition to All Treaties ſubſiſting between our gallant Ally the King of Pruſſia, and His late Majeſty of glorious Memory, Renewed and Confirmed by his preſent Majeſty after his Acceſſion, in a Treaty bearing Date December 12, 1760, in which is contained the following Article:

ARTICLE IV.

" S'engagent en outre Les Hauts Contractans, ſavoir, d'une Cote Sa Ma-
" jeſte Britannique, tant comme Roi que comme Electeur, et de l'autre Sa
" Majeſte Pruſſienne, De *ne Conclurre, aucun Traite de Paix*, de *Treve*,
" ou de *Neutralite*, ni autre Convention ou Accord *que ce ſoit* avec les
" Puiſſances Qui *ont pris Parti* a la preſente Guerre que DE CONCERT
" et par UN ACCORD MUTUEL et en S'y Comprenant NOM-
" MEMENT."

TRANSLATION.

ARTICLE IV.

" The HIGH CONTRACTING POWERS moreover
" Engage, viz. on the one Side His BRITANNIC MAJESTY as well
" KING as ELECTOR, and on the other, His PRUSSIAN MA-
" JESTY, NOT TO CONCLUDE *any Treaty of Peace, Truce*, or
" *Neutrality*, or other Convention or Agreement *whatever*, with the
" Powers who *have taken Part* in the preſent War, but IN CONCERT
" and by MUTUAL AGREEMENT and by Comprehending each other
" by NAME." Signed,

ROBERT HENLEY, *C. S.*
GRANVILLE, *P.*
HOLLES NEWCASTLE.
HOLDERNESSE.
HARDWICKE.
WILLIAM PITT.

A Treaty of Peace was, notwithſtanding, Entered into and Concluded at Paris, between England, France and Spain, *without the Conſent* and *Mutual* Agreement of the King of Pruſſia †, and without *comprehending Him*

† " THE FRENCH knew the Negociation of the Peace was in the Hands of Lord ****,
" and that ſo far from ſupporting our great Proteſtant Ally, his Lordſhip was determined to
" *abandon* him. The King of Pruſſia *complained*, that he was actually *betrayed* by the Scottiſh
" Miniſter, and he ſpoke publickly of the Offers made by his Lordſhip to the *late* CZAR,
" for *diſmembering* his Dominions.
" I heard Lord **** declare in a great Aſſembly, that *the Dominions of the King of Pruſ-*
" *ſia were to be ſcrambled for*, the moſt indecent, vulgar, and infamous Expreſſion for an Ally
" of the Crown of England, which any Miniſter ever uttered."
London, St. James's Chronicle, May 3, 1768.

by

by Name, in defiance of the above Article of a moſt Solemn Treaty and Engagement between His preſent Majeſty and the King of Pruſſia, and within leſs than two Years from the Date thereof; by which the Honor and PUBLIC FAITH of the *Nation* became a Sacrifice to *Evil Counſellors* and *Corrupt* Miniſters: And We do, therefore, Requeſt of You, our Repreſentatives, and Do, Hereby, Call upon You to Uſe Your utmoſt Endeavours to trace out, detect, and bring to *condign Puniſhment* all ſuch *Evil* Counſellors, and *Corrupt* Miniſters, by whoſe *Advice* the NATIONAL FAITH has been thus *ignominiouſly Proſtituted*, and *traiterouſly* broke and *Forfeited*

II. We Deſire and Expect that you will Enquire by whoſe *Advice* it was, That after a GLORIOUS WAR, and a Series of Amazing Conqueſts, carried on with uninterrupted Succeſs in every Part of the Globe, and beyond the Example of former Ages, the *moſt valuable* of thoſe Conqueſts, particularly, the RICH and important CITY and *Dependencies* of the HAVANNA, and the fertile Iſlands of GUADELUPE and MARTINICO were *Ceded* to the Enemy; and this at a Time when our Ambaſſador, it is ſaid, was in actual Treaty for *one* of them, and the Ceſſion but little litigated on the Part of the Miniſters of France, when he received *poſitive* Orders to Sign the *Preliminary* Articles of the Peace: And We alſo Recommend and Expect You will Enquire by whoſe Advice it was, that the MANILLA Ranſom-Money ſtill detained and withheld, in open Breach of Public Honor and Public Faith on the Part of the Crown of Spain, and in Defiance of the Sacred Articles of Capitulation, was not *Inſiſted on*, but that Juſt and *National* Claim tamely and ſubmiſſively *given up*, to the great Diſcredit of this Kingdom.

III. We Deſire and Expect that You will Enquire by whoſe Advice it was, That, a STAMP ACT was impoſed upon the Colonies: An Act, according to the Opinion of the greateſt Lawyer in this Kingdom, publicly declared, "To be in it's very Exiſtence abſolutely ILLEGAL; "contrary to the Fundamental Laws of *Nature*, contrary to the Fundamental Laws of the *Conſtitution* of ENGLAND, A Conſtitution, whoſe "*Foundation* and *Center* is LIBERTY; which ſends Liberty to *every* Subject that is, or may *Happen to be*, within any Part of it's ample Circumference: Taxation and Repreſentation are *inſeparable*, they are Coeval "with, and Eſſential to our Happy Conſtitution, and the Colonies are "not Repreſented in the Britiſh Parliament." The Supreme Power, in the Opinion of that conſummate Reaſoner and Politician Mr. LOCKE, "cannot take from any Man, *any part* of his Property *without his own* "*Conſent*: And the Colonies Have a Right to Expect and Look for *Protection* and not *Chains* from their *Mother-Country*:" We deſire, therefore, that You will Enquire by whoſe *Advice* it was, That our Colonies were Irritated by Meaſures inconſiſtent with good Policy, not to ſay, common Equity, and thoſe Meaſures publicly Avowed and Defended by General Maxims and Arguments, which Strike at the Root of all Publick LIBERTY at Home and Abroad: A DISPENSING POWER contended for on one Occaſion, and on another, JURIES *precluded* from being Judges of LAW as well as FACT, in Caſes where the *Liberty*, the *Property*, and even the LIFE of a *Fellow-Subject* depend upon their VERDICT: And alſo, by whoſe Advice, and by what Authority a POPISH BISHOP was ſent to the *Proteſtant* Settlement of CANADA.

IV. We Deſire and Expect that you will *Enquire* by what *Authority* it was, that a REPRESENTATIVE of the PEOPLE in Parliament was *Seized* in his *own Houſe*, *Dragged* out of his *own Houſe*, and in Defiance of

the

the *Habeas Corpus* Act, and MAGNA CHARTA, *Impriſoned* in the TOWER of London; All his Papers the moſt *Secret* of them Rifled and Carried away, under an *Avowed* Deſign of collecting *Evidence* againſt Him for a *ſuppoſed* Libel; thereby Obliging a *Free-born* Engliſhman to turn his *own Accuſer*, contrary to the *Known Laws* of the Land. We alſo, Deſire and Expect, that You will Uſe Your utmoſt Endeavours to find out by *whom* it was that a Writ of *Habeas Corpus* granted by a *Chief Juſtice* was *Eluded*, and it's Authority *Diſobeyed* in Time of Public Peace and Tranquility; and the Act of *Habeas Corpus*, that greateſt and ſtrongeſt Bulwark of Engliſh Liberty, broke down and trampled under Foot; the Powers of which were never Known to be even *Suſpended*, but in Times of public Danger; of ſuſpected Conſpiracies, open Rebellion, or when a Foreign Enemy was in Arms in the Kingdom: the Suſpenſion of the *Habeas Corpus* Act, tho' by *Authority* of *Parliament*, is ever underſtood to be a Suſpenſion of the *Liberty* of the SUBJECT. And We, therefore, Deſire and Expect that You will Enquire by whoſe Advice it was, that Private Perſons in Office, Armed with that *Iron*-Engine of Oppreſſion, and bearing that *ignominious* Badge of Slavery a GENERAL WARRANT, were Employed or Set on and Encouraged to Dare to Do that *by themſelves*, which King, Lords, and Commons, the three Eſtates of the Realm, can only do *together*.

V. We Deſire and Recommend to You moſt Earneſtly, to Uſe Your utmoſt Endeavours to Promote a Remedial Bill in Parliament for *Quieting the Poſſeſſion* of the Subject, and to prevent Miniſters under the Crown from Harraſſing the private Subject with *Antiquated* Claims, *Vexatious* Suits, and *Threats* of Confiſcation, giving thereby a SHOCK to the WHOLE LANDED Property throughout the Kingdom, and other deteſtable Proceedings inconſiſtent with the Freedom of the Britiſh Conſtitution, and the Rights and Privileges of the PEOPLE: And that You will do Your utmoſt to Reſcue private Property from the Violence, Arbitrary Encroachments, Breach of Faith, Injuſtice, and Tyranny of profligate and corrupt Miniſters.

VI. We Requeſt alſo, and Recommend to You to Enquire, How it comes to paſs that the Eldeſt Sons of Peers of *Scotland*, who are declared incapable to Repreſent any Borough or Shire in *that* Kingdom, ſhould be permitted to Repreſent any Borough or Shire in England: And Why, when * *All* the Commons of Scotland are, according to the Act of UNION, Repreſented by *Forty-five* Members in the Britiſh Parliament, *Scots Commoners* are permitted to Repreſent *Engliſh* Boroughs, and to Have *Additional* Voices in Parliament: And Whether the Permitting Scots Commoners and Eldeſt Sons of Peers of *Scotland* to Sit in Parliament for *Engliſh* Boroughs, be not inconſiſtent with, and contrary to, the true SPIRIT of the Act of UNION: And Whether a Single Inſtance can be produced ſince that Act took Place, where any *one* Engliſh Commoner was ever Returned to Parliament to Repreſent a Shire or Borough in *Scotland*: We Recommend to You in Your Enquiries to Conſider the *true Spirit* of the Act of *Union*: The Lord's Houſe took Care to prevent any Northern Irruptions upon the Engliſh *Nobility*; The Dukes of Hamilton and Queenſberry are not at this Day Allowed to Sit in their Houſe, tho' actually Created Engliſh Dukes by the Titles of *Brandon* and *Dover*. The Wiſdom of the Lords gave this Conſtruction to the Act of Union: They Reſtrained

* Article 22 of the Act of Union. "A Writ ſhall be immediately Iſſued, *&c.* For the "Summoning the Sixteen Peers, and for Electing Forty-five Members, *by whom Scotland is to "be Repreſented in the Parliament of Great-Britain.*"

and

and Confined the North-Britiſh Repreſentatives in *their* Houſe to the Number fixed by the Act of Union, the Number 16. Is it not then extraordinary that the Houſe of Commons ſhould *Open* a Door which the other Houſe has *Shut?* Or can it be ſuppoſed, with any Degree of Reaſon or Propriety, that the Framers of the Act of *Union* could ever Mean to bar Acceſs to Natives of Scotland from becoming Members of *one* Part of the Legiſlature beyond their Limited Number, and give them free Admittance into the other? It never was, it never could be, their Intent; and if Scots Commoners have not hitherto been expreſsly Reſtrained from Intruding upon the Legiſlature of South-Britain beyond their Stipulated Number by the Act of Union, it is Time they *ſhould be ſo*, or in the Proceſs of a few Years, a Swarm may be brought in upon Us that may be too Strong for Engliſh Repreſentatives to turn out. Remember the Speech of one of Your Predeceſſors, and imprint it in Your Hearts: " Mr. Speaker, I Hear a " Lion roaring in the Lobby; Shall We Shut the Door, Sir, againſt Him, " or Shall We Let *Him in*, to See if We are able to turn Him *out again?*" If the preſent Scotch Commoners, already Elected, are permitted to Enjoy their Seats in the enſuing Parliament, the Number will Encreaſe upon You in another: and in Time, ALL the Subjects of England will be Taxed by a Majority of Scotch Members: Flagrant Abſurdity! Intolerable Yoke! In this Caſe, which is far from being Impoſſible, and *which Event* perhaps is nearer taking Place than the Generality of People may Imagine, it is not a *Portion* of Members of the Scotch Parliament ſent by Deputation to the Britiſh Houſe of Commons, who ſit there, but it is the *Scotch Parliament itſelf* ADJOURNED TO ENGLAND. For which important Reaſons, We moſt Earneſtly Recommend to You to Propoſe an Enquiry into the true Spirit of the Act of Union; and as far as in You Lies, by all Conſtitutional Endeavours, to Exclude Scotch Commoners already Elected, exceeding the Number of Forty-five, and not Repreſenting Shires or Boroughs in Scotland, from a Seat and Voice in the Britiſh Parliament: and to promote a Reſolution of the Houſe of Commons, whereby they may be declared *incapable to ſit* in that Houſe; and that the Speaker may be Ordered to iſſue out his Warrants to the Clerk of the Crown to make out *new* Writs for the Electing Repreſentatives in their Room, according to *former Precedents**.

VII. We Deſire and Expect, that You will Uſe Your utmoſt Endeavours, by all Conſtitutional Meaſures in Your Power, that a Law may paſs for *Reſtoring* TRIENNIAL Parliaments: *Triennial* Parliaments were Eſtabliſhed ſoon after † the Glorious Revolution took Place, which ſaved this Kingdom from impending, from inevitable Deſtruction: They were Eſtabliſhed as the beſt Security for the Conſtitution againſt the Arbitrary Attempts of all Wicked and Deſigning Miniſters in futuro; frequent Elections deprive them of that *Enormous Influence* and *Power* they *now* Have to Corrupt the Repreſentatives of the People, and to Secure a Venal Majority of Members in the Houſe of Commons, which might prevent or put a *Stop* to all Enquiries into their Public Conduct. Theſe *Conſtitutional Triennial* Parliaments were firſt *Unconſtitutionally* Laid aſide in the Year 1716, on a

* *December* 6, 1708. *The Commons ordered their Speaker to iſſue out his Warrants to the Clerk of* " *the Crown to make out* new Writs *for the Electing Commiſſioners for the Shire of* Aberdeen, *in the* " *Room of* William *Lord* Haddo; *and for the Shire of* Linlithgow, *in the Room of* James *Lord* " Johnſtown, *who being* Eldeſt *Sons of* Peers *of Scotland, were declared to be* incapable to Sit *in* " *that Houſe.*" How much greater the Impropriety for ſuch Commoners, or any Scots-Com- " moners whatever, to ſit in that Houſe for *Engliſh* Shires or Boroughs!

† December 22, 1694.

State Neceſſity, and when the Public was thought to be in *immediate* Danger; a Scotch Rebellion barely Quaſhed, and in the Infancy of a New Succeſſion to the Throne; *Unconſtitutionally* Laid aſide, becauſe *the People had no Choice* of their Repreſentatives; and ſurely nothing could be more extravagantly Abſurd than that the *Repreſentatives* of the *People* ſhould *chooſe themſelves*, Vote themſelves into their own Seats, and Sit like *Peers* in their *own Right*, at the ſame Time Deriving their Authority from the *People:* A manifeſt Contradiction in Terms! No Man Conſtitutionally can Continue Himſelf in Deputation for a *longer* Term of years than He is *Deputed for;* And the Houſe of Peers and the Houſe of Commons which *continued* that *Triennial* Parliament of 1716 for SEVEN Years, might by the ſame Authority have continued it for a Term *ſtill longer*, might have made it PERPETUAL; and This would Have been an *expreſs* and *abſolute* SUBVERSION of the THIRD Eſtate of the Realm. The Houſe of Commons that did it was no Houſe of the Commons of *England*, after the Expiration of the THREE YEARS for which they were Elected: at that Time they became a Houſe merely of Common, or rather *Uncommon* Men, and, ſtrictly Speaking, were no longer a Houſe of Parliament, or Compoſed the *Third Eſtate* of the Kingdom.

The USURPATION of theſe SEPTENNNIAL *Parliaments* (for ſo, perhaps, it might be called) has been Continued ever ſince, tho' the ſame Reaſons, *(State Neceſſities)* which *then* prevailed, are no more in Being, and Subſiſt no longer; but the ſame Reaſons for Eſtabliſhing ſhort and *Triennial* Parliaments Remain *ſtill*, and are Equally in force NOW as at the REVOLUTION. Septennial Parliaments have a long Time been complained of as a Heavy National Grievance, and can be Agreeable to None but ill-deſigning Miniſters, and Self-interered Repreſentatives of the People; the ſooner, therefore, they are Aboliſhed, and *Triennial* Parliaments Reſtored, the ſooner may we Expect the Halcyon Return of Public Virtue to bleſs theſe Kingdoms; the ſooner may we Expect to Bruiſe the Head of Corruption, and to Keep Down all Aſpiring, Arbitrary, Overbearing Favourites, ever as Dangerous as Obnoxious to the Community. Miniſters and Favourites have the Means of Corruption now in their Hands, but theſe would be greatly diminiſhed, " if not only the *Seſſions* " of Parliament, but the Parliament *itſelf* were reduced to the *Antient* and " *Primitive* Conſtitution and Practice of *frequent* and *New* Parliaments; " for as a *good* Miniſtry will neither Practice or need Corruption, ſo it can- " not be any Man's Intent to provide for the Security of a *bad* one*."

For theſe Reaſons, and many others which could be added, being thoroughly convinced of the Utillity ariſing to the Nation from *Short* Parliaments, and the great Danger ariſing to the Conſtitution from *Long ones*; and as being alſo a Means to Curb the Growth and prevent the Spreading of Corruption, and to Repair the Breaches made in the Conſtitution by the Innovation of a Septennial Parliament, and to Remedy the Diſappointment ſo ſeverely felt by the Nation in 1722, when Triennial Parliaments were not, according to the Univerſal Expectation of the People, Reſtored to them, and the Conſtitutional Rights and Liberties of the Commons of England

* Lord's Proteſt in 1716.

" It is the Fate of weak Princes," ſays Lord *Lyttleton*, " to think they are never *ſo well* " ſerved as by thoſe of whoſe Authority the People *complain the moſt*; and to make the *Public* " *Hatred* a Ground of *their Confidence*; as if ſuch Perſons, having no *other* Strength or Pro- " tection to *depend upon*, muſt belong *more* to them, and be more *devotedly Attached* to their " Intereſt." *Hiſtory* of *Henry* the *Second*.

thereby

thereby more firmly Secured and Eſtabliſhed, on the † Baſis built for them by their Great and Glorious Deliverer, King William, to whom We owe Religion, Law, and Liberty: For theſe Reaſons we Do moſt Earneſtly Recommend to You, our Repreſentatives, and eſpecially if You profeſs *Revolution Principles*, to Uſe all Conſtitutional Means in Your Power, That a Law may be paſſed, in the approaching Seſſion, for Limiting the Duration of this *Preſent* and all *future* Parliaments to

THREE YEARS AT MOST.

VIII. We do alſo Recommend to You, to promote an Enquiry, by which the Conſtitution *itſelf* may be Examined into according to it's *firſt* Principles, in order to Correct ſuch Abuſes as may have Crept in thro' Length of Time, and to Supply ſuch Defects as may be wanting, and to Reſtore it as nearly as it can be done to it's *Originial* Principles: And alſo, that the Repreſentative Authority of this Kingdom may be more EQUALLY Settled.

IX. We Recommend to You and ſtrictly Charge You, Carefully and Impartially to Enquire into the Conduct of all ſuch *Returning Officers*, of whoſe Proceedings Complaint ſhall at any Time be made before the Houſe; and to DO JUSTICE to the NATION by bringing all ſuch to *Condign Puniſhment*, who ſhall appear to Have violated the Rights of *Freeholders* and *Legal Voters* at Elections; thereby Invading the Birthright and Privilege of the Britiſh Subject, and flagrantly Inſulting the CONSTITUTION and LIBERTY of their COUNTRY*.

X. We alſo Recommend to You, to promote a Bill for Laying a Duty of 10*s*. per Hundred Weight on Sugar, which, according to the beſt Calculation made by a late great Chancellor of the Exchequer, (Mr. Legge) univerſally Acknowledged to be the moſt able *Financier* in *Europe*, will Raiſe 500,000 £. per Annum; And to Repeal thereby the Additional Tax upon Beer Subſtituted in it's Room in the Year 1753, and which has ever ſince been Levied with ſuch peculiar Cruelty and Oppreſſion upon the Laborious *Poor* of this great Kingdom; the Poor, already Diſtreſſed and almoſt Famiſhed by the High and Extravagant Prices of Proviſions and Corn; the Reduction of which High and Extravagant Prices We alſo moſt Earneſtly Recommend to Your Conſideration in Parliament; and that You will Uſe Your utmoſt Endeavours to give Relief to the Crying and very Alarming Neceſſities of the Indigent and Induſtrious Part of the Nation, Your Fellow Subjects, and Many of them Your CONSTITUENTS and ELECTORS.

† In the Bill of *Rights* paſſed February 13, 1688-9, is the following Article or Clauſe: Art. 13. "And that for Redreſs of all Grievances, and for the amending, *ſtrengthening*, and "*Preſerving* of the *Laws*, Parliaments ought to be Held *frequently*."

A Parliament of a *long* Continuance ſeemed to be very *dangerous*, either to the *Crown* or to the Nation: If the *Conjuncture* and their *Proceedings* gave them much Credit, they might grow very uneaſy to the *Crown*, as Happened in King *Charles* the Firſt's Time; Or in another Situation of Affairs, they might be ſo practiced upon by the Court, that they might give all the Money, and ALL THE LIBERTIES of England *up*, when they were to have a *large Share* of the *Money*, and were to be made the *Inſtruments* of TYRANNY; as it was in King *Charles* the Second's Time. It was, likewiſe, Hoped, that *frequent* Parliaments would put an End to the great *Expence* Candidates put themſelves to in *Elections*: And that it would oblige the Members to *Behave themſelves* ſo *well*, both with Relation to the Public, and in their private Deportment, as to *Recommend* them to their Electors at *Three Years end*: Whereas, when a Parliament was to Sit *many Years*, Members covered with *Privileges* were apt to *take great Liberties*, forgot that they Repreſented *others*, and took Care only *of themſelves*. So that it was thought that England would have a *truer* Repreſentative, when it was choſen *anew* every THIRD YEAR, than when it *Run on*. *Biſhop Burnet's Hiſt.* Vol. II.

* In the Houſe of Commons of *Ireland*, in the Seſſions of 1756. The preſent Earl of *Arran*, (then Sir *Arthur Gore*) upon a Petition before the Houſe, complaining of Undue Proceedings, and a falſe Return for the County of *Wexford*, made Uſe of this Remarkable Expreſſion in a Debate, "*that the Kingdom of Ireland had* been SCOURGED BY *Sheriffs*:" and moved the Houſe that, the High Sheriff of Wexford, having acted in an Arbitrary, Illegal Manner, be taken into the Cuſtody of the Serjeant at Arms attending the Houſe, and be Committed to NEWGATE; which was Agreed to by the Houſe without a Diviſion.